

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**DONYA R. SIMPSON,**

**Plaintiff,**

**v.**

**COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

**Case No. 20-CV-329-JFH-SPS**

**ORDER**

Before the Court is the Report and Recommendation [Dkt. No. 23] of United States Magistrate Judge Steven Shreder reviewing Plaintiff's Motion for an Award of Attorney's Fees under the Equal Access to Justice Act [Dkt. No. 19]. Magistrate Judge Shreder recommends the Motion be granted. Dkt. No. 29.

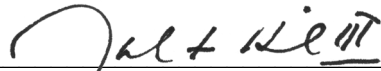
Neither party objected to Magistrate Judge Shreder's Report and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with Magistrate Judge Shreder's recommendation, and accepts and adopts it as the order of the Court. On that basis, the Court finds that Plaintiff's Motion for an Award of Attorney's Fees under the Equal Access to Justice Act [Dkt. No. 19] is **GRANTED**.

**IT IS THEREFORE ORDERED** that the Government shall pay Plaintiff's attorney's fees in the amount of \$3,718.10.

**IT IS FURTHER ORDERED** that the award shall be made to Plaintiff as the prevailing party and not directly to Plaintiff's counsel. Further, should Plaintiff's counsel ultimately be

awarded attorney's fees pursuant to 42 U.S.C. § 406(b)(1), counsel shall refund the smaller amount to Plaintiff.

DATED this 10<sup>th</sup> day of December 2021.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE